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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/285,649	04/05/1999	PAGANI GIORGIO	Q-53806	3966

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EXAMINER

DOROSHENK, ALEXA A

ART UNIT	PAPER NUMBER
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1764

DATE MAILED: 02/12/2003

20

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n No.

09/285,649

Applicant(s)

GIORGIO ET AL.

Examiner

Alexa A. Doroshenk

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-9, 11-13 and 15 is/are allowed.
- 6) ☒ Claim(s) 10 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Wijck (6,441,579) in view of Finneran et al. (3,232,982).

Van Wijck discloses a urea production apparatus comprising:

a reactor (A);

a stripper (B) which operates at a pressure substantially equal to the reactor pressure (col. 3, lines 49-55);

a means (2) for directly feeding a mixture from the reactor (A) to the stripper (B);

means for condensing (C) vapors (3) leaving the stripper (B); and  
recycling a first portion of carbamate (4) in aqueous solution from the condenser  
(C) to the reactor (A).

Finneran et al. also discloses a similar urea production apparatus (as discussed in previous office actions) which includes a recovery section (22) for separating urea (28) and a second portion of carbamate from the stripping unit (14); and a means for feeding the second portion of carbamate (23, 25, 25) to the stripping unit (14). Finneran et al. discloses wherein the recycling and recovery means of the reference have desirable benefits which include total recovery of reactants, simplified, economical and a commercially feasible invention (col. 1, lines 32- col. 2, line 14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the recovery section teaching of Finneran et al. to the device of Van Wijck in order to gain total recovery of reactants as well as the other benefits recognized by Finneran et al.

***Allowable Subject Matter***

4. Claims 7-9, 11-13 and 15 are allowed.

***Response to Arguments***

**Specification**

The objection to the disclosure is withdrawn due to applicant's amendment.

**35 USC 102**

The 35 USC 102 rejection over Finneran et al. has been withdrawn due to applicant's arguments with regard to the direct feeding means from the urea synthesis reactor to the stripping unit. A new grounds of rejection has been set forth above.

Applicant has argued, with respect to Finneran et al., that the stripper zone does not operate at a pressure substantially corresponding to the pressure in the synthesis reactor, and has further described this “high” pressure as indicated in the specification as 105 bar in the preferred embodiment.

The examiner would like to point out that the reference of the new rejection, Van Wijck, discloses wherein the reactor and stripper both operate (col. 3, lines 49-55) in the “high” pressure definition (col. 4, lines 6-8) gleaned from applicant’s specification.

Applicant’s argument’s with regard to the stripping and condensing zone (14) of Finneran et al. not being able to withdraw and the solutions to the reactor and recovery section as claimed are moot in view of the new grounds of rejection wherein a separate stripper and condenser are provided by the reference.

Applicant further argues, with regard to the recovery means of Finneran et al., that since the carbamate solution obtained in recovery zone 22 is returned by line 26 to the ammonium carbamate of zone 14, that it must be returned to the condensing portion of the zone rather than the stripping portion.

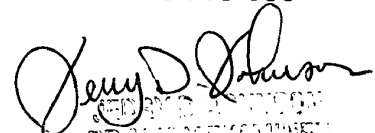
The examiner respectfully disagrees. Finneran et al. discloses wherein the ammonium carbamate in zone (14) is heated (stripped) and then condensed (col. 5, lines 60-66). Therefore, the returned carbamate solution (26) obtained in recovery zone (22) to the ammonium carbamate of zone (14) is first stripped and then condensed and therefore reads on the apparatus as claimed by applicant.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexa A. Doroshenk whose telephone number is 703-305-0074. The examiner can normally be reached on Monday - Thursday from 9:00 AM - 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on 703-308-6824. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

  
JERRY D. JOHNSON  
PRIMARY EXAMINER  
703-308-1100

AAD  
February 4, 2003